

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUDGE RAKOFF

OLAN LABORATORIES, INC.,

Plaintiff,

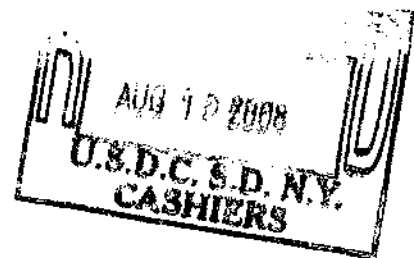
-against-

NEACLEAR, INC.,

Defendant.

Civil Action No.

08 CIV 7259
TRIAL BY JURY DEMANDED



**COMPLAINT FOR TRADEMARK INFRINGEMENT,
FALSE DESIGNATION OF ORIGIN, AND UNFAIR COMPETITION**

Plaintiff, OLAN LABORATORIES, INC., complaining of the Defendant, NEACLEAR, INC., respectfully alleges as follows:

1. This is a civil action arising under the Trademark Act of 1946, as amended (the Lanham Act, 15 U.S.C. §1051 et seq.) for trademark infringement, false designation of origin, infringement of common law trademark and unfair competition.

THE PARTIES

2. Plaintiff OLAN LABORATORIES, INC. (hereinafter referred to as "OLAN") is a corporation organized and existing under the laws of the State of New York with offices at 20 Newton Place, Hauppauge, New York.

3. Upon information and belief, Defendant NEACLEAR, INC. (hereinafter referred to as "NEACLEAR") is a corporation organized and existing under the laws of the State of Illinois with offices at 444 N. Northwest Highway, Suite 220, Park Ridge, Illinois.

JURISDICTION AND VENUE

4. This court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §1331, 15 U.S.C. §1121 and the principles of supplemental jurisdiction.

5. Venue is proper in this Court under 28 U.S.C. §§1391 (b) and (c) because Defendant NEACLEAR has transacted business within the Southern District of New York and because the claim asserted herein arose within the Southern District of New York.

FACTS COMMON TO THE CLAIMS FOR RELIEF

6. Plaintiff OLAN is the owner of United States Trademark Registration No. 2,448,704 registered May 8, 2001 for the trademark "NAIL OPTIMIZER" for nail care preparation, namely, nail polishes, nail hardening and strengthening preparations. A copy of said registration is annexed hereto as Exhibit "A". This Registration is valid and subsisting and is exclusively owned by OLAN.

7. Since at least as early as 1996 OLAN has been in the business of manufacturing, selling and distributing within the United States nail care preparations including nail polishes, nail hardening and strengthening preparations. OLAN has distributed, marketed and sold, and continues to distribute, market and sell such nail care preparations throughout the United States, including New York, within the Southern District of New York. Copies of OLAN's promotional and advertising materials are annexed hereto as Exhibits "B", "C", "D" and "E", featuring OLAN's distinctive mark "NAIL OPTIMIZER".

8. Upon information and belief, and at all times relevant herein, Defendant NEACLEAR has been selling, offering for sale and/or advertising, within the United States and within the Southern District of New York, nail care preparations using plaintiff's trademark "NAIL OPTIMIZER" and continues to offer for sale, sell and advertise nail care preparations using said trademark of OLAN. Copies of Defendant NEACLEAR's advertising and promotional materials, specifically pages 50, 60, 64 and 79 from Defendant NEACLEAR's online catalog are annexed hereto as Exhibits "F", "G", "H" and "I", as well as a copy of NEACLEAR's advertisement and copy of the product itself, all featuring plaintiff's trademark "NAIL OPTIMIZER", are annexed hereto as Exhibits "J" and "K".

9. At all times relevant herein, the trademark "NAIL OPTIMIZER" has been used continuously by OLAN throughout the United States, including the Southern District of New York, on or in connection with distribution, sale, promotion and advertising of high quality nail care preparations, namely, nail polishes, nail hardening and strengthening products.

10. Since long prior to the acts complained of herein, OLAN has been engaged in the business of selling, distributing, promoting and advertising said high quality nail care preparations under the trademark NAIL OPTIMIZER which mark has acquired secondary meaning in the minds of relevant consumers throughout the United States, including New York, as products which originate from and authorized by OLAN.

11. As a direct and proximate result of the illegal activities of NEACLEAR, as alleged herein, OLAN has suffered serious damage and, upon information and belief, NEACLEAR has made substantial profits which it is not entitled in equity. Upon information and belief, unless NEACLEAR is restrained by this court, it will continue and/or expand its illegal activities by infringing the OLAN trademark and diluting the source and origin of OLAN, and otherwise continue to cause great and irreparable damage and injury to OLAN through, *inter alia*: (a) causing a likelihood of confusion, mistake and deception among the relevant purchasing public and trade as to the source of the origin of the infringing products; (b) causing disruption and damage to OLAN's marketing, advertising and distribution systems, and (c) causing incalculable damage to OLAN's goodwill and the value of the OLAN trademark.

12. NEACLEAR's conduct has been calculated to cause actual confusion in the marketplace.

13. NEACLEAR has been given prior actual notice of the proprietary rights of OLAN in the trademark "NAIL OPTIMIZER" but has continued to conduct its infringing activities by the sale, distribution, advertising and promotion of the infringing products in commerce of the United States notwithstanding actual notice of those proprietary rights.

14. Upon information and belief, NEACLEAR's infringement of OLAN's trademark, and its false designation of origin as alleged herein, is exceptional. Also, upon information and belief, NEACLEAR has passed off the infringing products under the OLAN trademark knowing such mark's usage was infringing with a complete disregard to the property rights of OLAN. NEACLEAR's intentional and/or willful infringement has damaged OLAN as described above, entitling OLAN to treble NEACLEAR's profits or treble OLAN's actual damages, and to an award of OLAN's costs and attorneys' fees under 15 U.S.C. §1117(a).

15. OLAN has no adequate remedy at law.

COUNT I

INFRINGEMENT OF REGISTERED MARK

16. OLAN realleges and incorporates herein by reference each and every allegation contained in paragraphs 1 through 15 of this Complaint.

17. NEACLEAR's unauthorized use of OLAN's federally registered trademark "NAIL OPTIMIZER" constitutes infringement of OLAN's trademark.

18. NEACLEAR's acts of infringement as aforesaid have caused, and will continue to cause, irreparable harm to OLAN unless enjoined by this Court.

COUNT II

COMMON LAW TRADEMARK INFRINGEMENT

19. OLAN realleges and incorporates herein by reference each and every allegation contained in paragraphs 1 through 15 of this Complaint.

20. NEACLEAR's unauthorized use of the trademark "NAIL OPTIMIZER" as alleged above, constitutes infringement of OLAN's exclusive rights to said trademark under the common law.

21. NEACLEAR's aforesaid acts of infringement have caused, and will continue to cause, irreparable harm to OLAN unless enjoined by this Court.

COUNT III

FALSE DESIGNATION OF ORIGIN AND FALSE DESCRIPTION

22. OLAN reallages and incorporates herein by reference each and every allegation continued in paragraphs 1 through 15 of this Complaint.

23. NEACLEAR's activities in advertising, offering for sale and/or selling goods using the mark "NAIL OPTIMIZER" constitutes false designation of origin, false or misleading description of facts, and a false or misleading representation of facts which is likely to cause confusion, mistake or deception to the irreparable harm of OLAN and the public in violation of 15 U.S.C. §1125(a)(1).

24. As a direct and proximate result of NEACLEAR's illegal activities as alleged above, OLAN has been severely and irreparably damaged. Unless restrained by this Court, NEACLEAR will continue such illegal acts, and otherwise cause great and irreparable damage and injury to OLAN through, *inter alia*: (a) causing a likelihood of confusion, mistake and deception among the relevant purchasing public and trade as to the source of the infringing product; (b) causing disruption and damage to OLAN's marketing, advertising and distribution systems; and (c) causing incalculable damage to OLAN's goodwill and the value of said trademark and its associated goodwill.

COUNT IV

UNFAIR COMPETITION

25. OLAN realleges and incorporates herein by reference each and every allegation contained in paragraphs 1-15 of this Complaint.

26. NEACLEAR's passing off of infringing goods under the OLAN trademark constitutes unfair competition under the common law of New York. As a direct and proximate result of such unfair competition, OLAN has been damaged in the amount of the proceeds realized by NEACLEAR from the sale of its deceptive infringing products as well as the amount by which the profits of OLAN have been diminished by NEACLEAR's activities.

27. Unless NEACLEAR's unfair competition is enjoined, it will continue its infringing and unfairly competitive activities, and otherwise continue to cause great and irreparable damage and injury to OLAN through, *inter alia*: (a) causing a likelihood of confusion, mistake and deception among the relevant purchasing public and trade as to the source of the infringing product; (b) causing disruption and damage to OLAN's marketing, advertising, and distribution systems, and; (c) causing incalculable damage to OLAN and the value of the OLAN trademark and its associated goodwill.

28. Upon information and belief, NEACLEAR's acts of unfair competition are aggravated by that kind of willfulness, wantonness and malice for which New York law allows the imposition of exemplary damages. That is, NEACLEAR's activities are, and have been intentional, willful, wanton, fraudulent and without justification or excuse, and are undertaken with gross indifference to the property rights of OLAN.

29. In the alternative, if NEACLEAR's acts of unfair competition are not aggravated by such willfulness, wantonness and malice, then NEACLEAR's acts, as alleged herein, are of such a character as to make NEACLEAR guilty of gross negligence in that its actions involved such an entire want of care as could have only resulted from actual conscious indifference to the rights and welfare of OLAN.

DEMAND FOR JUDGMENT

WHEREFORE, OLAN demands that this Court grant it the following judgment:

A. Adjudge that NEACLEAR has infringed OLAN's common law trademark "NAIL OPTIMIZER", and has infringed OLAN's federally registered Trademark Registration No. 2,448,704 for "NAIL OPTIMIZER";

B. Adjudge that NEACLEAR has falsely designated the origin of its infringing products as products emanating from OLAN in violation of the federal Lanham Act, 15 U.S.C. §1125(a)(1);

C. Adjudge that NEACLEAR has competed unfairly with OLAN in violation of OLAN's rights under the common law of New York;

D. Adjudge that NEACLEAR and its agents, employees, attorneys, successors, assigns and any person(s) in active concert or participation with any of them, and/or person(s) acting for, with, by, through or under any of them, be enjoined and restrained at first during the pendency of this action and thereafter permanently:

1. From manufacturing, having manufactured, importing, selling, offering for sale, distributing, advertising or promoting goods which are not expressly authorized in writing, by, or for, OLAN, and which bear the OLAN trademark "NAIL OPTIMIZER", alone or in combination with any other words, symbols or designs;

2. From using any words, symbols or designs which so resemble OLAN's trademark "NAIL OPTIMIZER" as to be likely to cause confusion, mistake or deception, on or in connection with the manufacture, importation, sale, offering for sale, distribution, advertisement or promotion or any product which is not expressly authorized in writing by, or for OLAN;
3. From using any word, term, name, symbol, device or combination thereof which causes or is likely to cause confusion, mistake or deception as to the affirmation or association of NEACLEAR or its goods with OLAN or its goods, or any false designation or origin, or any false or misleading description or representation of fact;
4. From further infringing the rights of OLAN in and the OLAN trademark "NAIL OPTIMIZER" or otherwise damaging OLAN's goodwill or business reputation;

5. From otherwise competing unfairly with OLAN in any manner;
6. From continuing to perform in any manner whatsoever any of the other acts complained of in this complaint;

E. Adjudge that NEACLEAR be required to deliver forthwith to OLAN 's counsel NEACLEAR's entire inventory of unauthorized products, packaging, labeling, labels, advertising matter, promotional material and all plates, molds, matrices, and other material for producing or printing such items, which is in NEACLEAR's possession or subject to its control and which bear the OLAN trademark "NAIL OPTIMIZER" or refer to OLAN in any manner;

F. Adjudge that NEACLEAR, within thirty (30) days after service of the Judgment demanded herein, be required to file with this court and serve upon OLAN's counsel, a written report under oath setting forth in detail the manner in which it has complied with the Judgment;

G. Adjudge that OLAN recover its actual damages and lost profits from NEACLEAR in an amount to be proven at trial, that NEACLEAR be required to account for any profits that are attributable to its illegal acts, and that OLAN be awarded the greater of either three times NEACLEAR's profits or three times any damages sustained by OLAN, under 15 U.S.C. §1117(a)(3), plus prejudgment interest;

H. Adjudge that OLAN be awarded its costs and disbursements incurred in connection with this action, including OLAN's reasonable attorneys' fees and expenses, on the grounds that this is an exceptional case under 15 U.S.C. §1117(a)(3) and that NEACLEAR willfully intended to trade upon the OLAN's trademark "NAIL OPTIMIZER", and upon the good will of OLAN, and

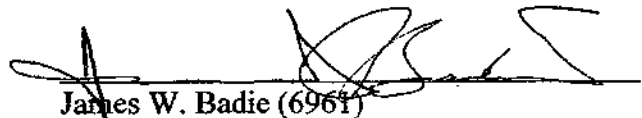
I. Adjudge that all such other relief be awarded to OLAN as this court deems just and proper.

JURY DEMAND

OLAN demands a trial by jury on all issues so triable.

LAW OFFICES OF JAMES W. BADIE

Dated: New York, New York
August 12, 2008


James W. Badie (6961)
Attorney for Plaintiff OLAN LABORATORIES, INC.
521 Fifth Avenue, Suite 3300
New York, New York 10175-3399
Telephone: (212) 244-5632
Facsimile: (212) 244-1364
Email: badielaw@att.net

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,448,704

Registered May 8, 2001

**TRADEMARK
PRINCIPAL REGISTER**

NAIL OPTIMIZER

**OLAN LABS (NEW YORK CORPORATION)
20 NEWTON PLACE
HAUPPAUGE, NY 11788**

**NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "NAIL", APART FROM THE MARK
AS SHOWN.**

**FOR: NAIL CARE PREPARATIONS, NAMELY,
NAIL POLISHES, NAIL HARDENING AND
STRENGTHENING PREPARATIONS, IN CLASS 3
(U.S. CLS. 1, 4, 6, 50, 51 AND 52).**

SER. NO. 75-707,991, FILED 5-14-1999.

FIRST USE 4-0-1996; IN COMMERCE 4-0-1996.

TRICIA SONNEBORN, EXAMINING ATTORNEY

Exhibit "A"
(OLAN-TM Registration No. 2,448,704)

Showcase is designed to help you learn about new products of interest to nail technicians. If you would like more information about any of the products described in this section, simply turn to the Reader Service Card on page 115 of this issue and circle the number on the card that corresponds to the number at the end of the product description. Complete the personal information section on the card and drop it in the mail. The card is postage-paid so there's no need for a stamp!

Featuring straight sidewalls from the cuticle to the free edge, Young Nails **Tips** give you a precise contact area for easier application and smoother blending, and the consistent C-curves make for increased strength and a beautiful shape. 800/777-9170, www.youngnails.com. **Circle 167.**

Nourish nails quickly, easily and naturally with Olan Laboratories **Nail Optimizer**. The strengthener helps grow healthy nails without the need for artificial tips or wraps.

800/645-1616, www.olanlabs.com.

Circle 179.

NAIL OPTIMIZER™
The Ultimate Nail Treatment
1/2 FL. OZ.

NSI Endurance Files last four times longer than the average abrasive, which helps fight filing fatigue. The straight edge of the versatile file helps shape and define the sidewalls, while the half-moon-shaped edge makes refining the cuticle area easy and comfortable. 800/354-6741, www.nsnails.com. **Circle 163.**

Get a grip with the **Satin Edge Spa Tools Pro Grip Collection** from Burmax. Ergonomically designed to prevent carpal tunnel syndrome and fatigue, these tools feature a comfortable rubber grip that offers superior control. 800/645-5118, www.burmax.com. **Circle 176.**

PNI Worldwide introduces three shimmering additions to its **Nail Art Necessities** line. Use FantaSea Crushed Seashells, Dazzling Dots Iridescent Circles and Angel Hair Glitter Strips to dress up your nail designs. 800/764-4447, www.pniworldwide.com. **Circle 175.**

Olan Laboratories...

The Ultimate Nail Care Products... Perfecting the Art of Beautiful Hands



The ultimate nail strengthener, this nail treatment is a natural solution for all types of problem nails. When used regularly, Nla Optimizer is guaranteed to grow healthy, strong, chip & free resistant nails. It is formulated with calcium, keratin and natural proteins to nourish and strengthen nails naturally.

The ultimate replenishing treatment, this cuticle oil is a blend of pure, natural, penetrating oils to condition and moisturize dry cuticles and skin. Eucalyptus & mint give a fresh, soothing spa fragrance. This cuticle oil can be used on both natural and artificial nails during & in between manicures to improve the condition of cuticles.

The ultimate top coat, this quick drying finishing coat can be applied to all types of nails for a high shine and coat of protection over color polish. It's non-yellowing formula is formaldehyde & toluene free! Additional applications in between manicures will freshen and strengthen the manicure.

1-800-645-1616 • t: 631.582.2015 • e: mail info@olanlaboratories.com
Olan Laboratories • 20 Newton Place • Hauppauge, New York, 11788

c. health care

we are proud to offer high-quality physician-strength products specifically designed for health care.



- Air Freshener
- Antibacterial Towelettes
- 1% Hydrocortisone Cream
- Benadryl Cream
- Cool Mint Mouthwash
- Cough Drops
- Flexible Adhesive Bandage
- Home Fragrant Mist
- Muscle and Joint Cream
- Nail Optimizer
- Scar Advantage
- Toothpaste
- Triple Antibiotic Ointment

specially formulated for your health, you will feel
the difference right away.



Nail Optimizer

Key Benefits

- the ultimate nail strengthener.
- a powerful answer for all types of nail problems.
- formulated with calcium, keratin and natural proteins to nourish and fortify nails.
- hydrates and replenishes nails.
- makes nails grow healthy and strong.

Item # 89648 0.5 oz. - MSRP \$9.99

Directions

follow the advice of your nail or skin care specialist. apply to nail or over nail polish. can be used daily. do not use on irritated skin. avoid eye contact. in case of eye contact, flush with water.

Description

this exciting nail treatment is unique and different. like a breath of fresh air, it optimizes the natural beauty of your nails. nails can be made healthy and attractive without the need for artificial tips and wraps. this exclusive nail optimizer gently protects and richly strengthens your nails, leaving them refreshed and revitalized. it is also ideal for all nail types. when you don't have the time to go to the salon, turn your home bathroom into a special treatment with our magnificent nail optimizer!

d. skin care

we are proud to offer high-quality physician-strength products specifically designed for skin care.



- Acne Cleanser (with benzoyl peroxide)
- Acne Wash (with salicylic acid)
- After Shave Gel
- Aloe Vera Gel
- Antibacterial Towelettes
- Aromatherapy
- Bar Soap
- Firming Body Lotion
- Flexible Adhesive Bandage
- Hand Repair Lotion
- Hand Sanitizer
- Herbal Body Wash
- Liquid Hand Soap
- Moisturizing Body Lotion
- Nail Optimizer
- Renew Face Wipes
- Scar Advantage
- Sun Block Protection
- Sun Block Wipes
- Sunless Tanning Lotion
- Triple Antibiotic Ointment
- Wash (face, hands, body)

specially formulated for your skin, you will feel
the difference right away.



Nail Optimizer

Key Benefits

- the ultimate nail strengthener.
- a powerful answer for all types of nail problems.
- formulated with calcium, keratin and natural proteins to nourish and fortify nails.
- hydrates and replenishes nails.
- makes nails grow healthy and strong.

Item # 89648 0.5 oz. - MSRP \$9.99

Directions

follow the advice of your nail or skin care specialist. apply to nail or over nail polish. can be used daily. do not use on irritated skin. avoid eye contact. in case of eye contact, flush with water.

Description

this exciting nail treatment is unique and different. like a breath of fresh air, it optimizes the natural beauty of your nails. nails can be made healthy and attractive without the need for artificial tips and wraps. this exclusive nail optimizer gently protects and richly strengthens your nails, leaving them refreshed and revitalized. it is also ideal for all nail types. when you don't have the time to go to the salon, turn your home bathroom into a special treatment with our magnificent nail optimizer!

Exhibit "I"

(NEACLEAR - pg. 79 from catalog)



neaclear®
the power of oxygen

...the clear solution for you!



company profile

our mission

healthy skin

our products

our science

the future

faq's

news

newsletter

affiliate program



Nail Optimizer

Rarely do you find a product offering something that is truly innovative.

neaclear® invites you to try our
Liquid Oxygen Nail Optimizer.

Key Benefits

- the ultimate nail strengthener.
- a powerful answer for all types of nail problems.
- formulated with calcium, keratin, and natural proteins to nourish and fortify nails.
- hydrates and replenishes nails.
- makes nails grow healthy and strong.

Description

this exciting nail treatment is unique and different. like a breath of fresh air, it optimizes the natural beauty of your nails. nails can be made healthy and attractive without the need for artificial tips and wraps.

this exclusive nail optimizer gently protects and richly strengthens your nails, leaving them refreshed and revitalized. it is also ideal for all nail types. **when you don't have the time to go to the salon, turn your home bathroom into a special treatment with our magnificent nail optimizer!**

this unique blend is both softening and strengthening. nails are left clean and soft, without irritating or drying out. **this formula is ideal for use in all environments and with all nail types.** it is enriched with pure, natural ingredients to cleanse, moisturize, strengthen, and gently care for your special nails. the difference is immediately obvious. the nourishment lasts for hours. it is strongly recommended by salons, spas, primary care physicians, plastic surgeons, and dermatologists.

when used regularly, this wonderful product will make your nails stronger as well as peel and chip resistant. formulated with calcium, keratin and natural proteins to nourish and fortify nails, this product will be one you'll love to use.

infused with **Oxygenated Purified Water** to introduce a powerful boost of oxygen into your skin's cells as you wash, this product will leave your skin feeling clean and energized.

we have also enhanced this product with **Vitamins A & D** (to replenish these nutrients which are lost to the harsh and sometimes toxic conditions we expose our skin to everyday), **Vitamin C & E** (two of the most effective anti-aging treatments for your skin) and **Aloe Vera** (to soothe your skin while you use). vitamin A aids in cell function and keeps the skin healthy, clear, and infection resistant. vitamin D helps to protect the cellular membrane from free radical damage. vitamin C inhibits sun damage caused by harmful UVA and UVB rays. vitamin C is also photo-protective, especially when used in conjunction with a broad-based sun block. vitamin E is considered to be the most important oil soluble vitamin and free radical scavenger. a moisturizing base of pure food-grade aloe vera assists in soothing irritated skin.

Exhibit "J"

(NEACLEAR - advertisement)

as if that wasn't enough, to make this product even better we have made O₂ Power fragrance-free and hypoallergenic.

Directions

follow the advice of your nail or skin care specialist. apply to nail or over nail polish can be used daily. do not use on irritated skin. avoid eye contact. in case of eye contact, flush with water.

Safety Information

for external use only. keep out of reach of children. if irritation or allergic reaction occurs, discontinue use and contact a physician right away. avoid contact with eyes and mucous membranes.

Ingredients

Oxygenated Purified Water, Sodium Laureth Sulfate, Disodium Diacetate, Lauryl Glucoside, Cocamidopropyl Betaine, Cocoglucoside, Glyceryl Oleate, Aloe Vera Gel, Vitamin A and D, Polysorbate 20, Polysorbate 80, Tetrasodium EDTA, DMDM Hydantoin, Benzophenone 4.

Size

Item #89648 0.5 oz.

**Try neaclear[®] Liquid Oxygen Nail Optimizer
and rediscover that natural clean feeling that you've been missing!**



click here to download our product catalog. you will need adobe acrobat reader. if you don't have it, click [here](#).

Revolutionizing the Science of Skin Care™

[home](#) | [resellers](#) | [store locator](#) | [links](#) | [legal notice](#) | [privacy policy](#) | [contact us](#)

444 N. Northwest Highway, Suite 220, Park Ridge, IL 60068
Phone: 1.888.91.CLEAR Fax: 847-696-9236 E-Mail: info@neaclear.com
Copyright © 2008 neaclear[®]

- Site Map -



neaclear®
the power of oxygen

...the clear solution for you!



company profile

our mission

healthy skin

our products

our science

the future

faq's

news

newsletter

affiliate program



Nail Optimizer

Rarely do you find a product offering something that is truly innovative.

neaclear® invites you to try our
Liquid Oxygen Nail Optimizer.

Key Benefits

- the ultimate nail strengthener.
- a powerful answer for all types of nail problems.
- formulated with calcium, keratin, and natural proteins to nourish and fortify nails.
- hydrates and replenishes nails.
- makes nails grow healthy and strong.

Description

this exciting nail treatment is unique and different. like a breath of fresh air, it optimizes the natural beauty of your nails. nails can be made healthy and attractive without the need for artificial tips and wraps.

this exclusive nail optimizer gently protects and richly strengthens your nails, leaving them refreshed and revitalized. it is also ideal for all nail types. **when you don't have the time to go to the salon, turn your home bathroom into a special treatment with our magnificent nail optimizer!**

this unique blend is both softening and strengthening. nails are left clean and soft, without irritating or drying out. **this formula is ideal for use in all environments and with all nail types.** it is enriched with pure, natural ingredients to cleanse, moisturize, strengthen, and gently care for your special nails. the difference is immediately obvious. the nourishment lasts for hours. it is strongly recommended by salons, spas, primary care physicians, plastic surgeons, and dermatologists.

when used regularly, this wonderful product will make your nails stronger as well as peel and chip resistant. formulated with calcium, keratin and natural proteins to nourish and fortify nails, this product will be one you'll love to use.

infused with **Oxygenated Purified Water** to introduce a powerful boost of oxygen into your skin's cells as you wash, this product will leave your skin feeling clean and energized.

we have also enhanced this product with **Vitamins A & D** (to replenish these nutrients which are lost to the harsh and sometimes toxic conditions we expose our skin to everyday), **Vitamin C & E** (two of the most effective anti-aging treatments for your skin) and **Aloe Vera** (to soothe your skin while you use). vitamin A aids in cell function and keeps the skin healthy, clear, and infection resistant. vitamin D helps to protect the cellular membrane from free radical damage. vitamin C inhibits sun damage caused by harmful UVA and UVB rays. vitamin C is also photo-protective, especially when used in conjunction with a broad-based sun block. vitamin E is considered to be the most important oil soluble vitamin and free radical scavenger. a moisturizing base of pure food-grade aloe vera assists in soothing irritated skin.

Exhibit "J"

(NEACLEAR - advertisement)

as if that wasn't enough, to make this product even better we have made O₂ Power fragrance-free and hypoallergenic.

Directions

follow the advice of your nail or skin care specialist. apply to nail or over nail polish can be used daily. do not use on irritated skin. avoid eye contact. in case of eye contact, flush with water.

Safety Information

for external use only. keep out of reach of children. if irritation or allergic reaction occurs, discontinue use and contact a physician right away. avoid contact with eyes and mucous membranes.

Ingredients

Oxygenated Purified Water, Sodium Laureth Sulfate, Disodium Diacetate, Lauryl Glucoside, Cocamidopropyl Betaine, Cocoglucoside, Glyceryl Oleate, Aloe Vera Gel, Vitamin A and D, Polysorbate 20, Polysorbate 80, Tetrasodium EDTA, DMDM Hydantoin, Benzophenone 4.

Size

Item #89648 0.5 oz.

*Try neaclear[®] Liquid Oxygen Nail Optimizer
and rediscover that natural clean feeling that you've been missing!*



click here to download our product catalog. you will need adobe acrobat reader. if you don't have it, click [here](#).

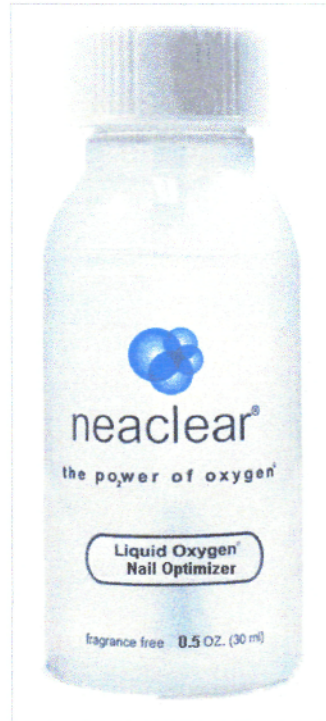
Revolutionizing the Science of Skin Care™

[home](#) | [resellers](#) | [store locator](#) | [links](#) | [legal notice](#) | [privacy policy](#) | [contact us](#)

444 N. Northwest Highway, Suite 220, Park Ridge, IL 60068
Phone: 1.888.91.CLEAR Fax: 847-696-9236 E-Mail: info@neaclear.com
Copyright © 2008 neaclear[®]

- Site Map -

Liquid Oxygen Nail Optimizer

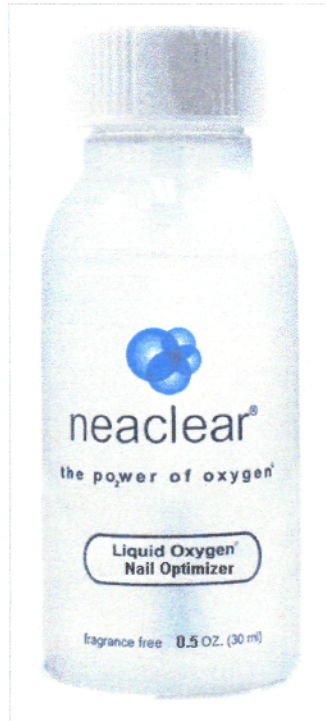


Liquid Oxygen Nail Optimizer

Exhibit "K"
(NEACLEAR – Product)

7/9/2008

Liquid Oxygen Nail Optimizer



Liquid Oxygen Nail Optimizer

Exhibit "K"
(NEACLEAR – Product)

7/9/2008